

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

OSCAR MENDOZA AND OLIVIA
MENDOZA,

Plaintiffs,

v.

ALLSTATE VEHICLE AND
PROPERTY INSURANCE COMPANY
AND MIGUEL ROJAS,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

EP-17-CV-00157-FM

ORDER GRANTING FIRST AMENDED MOTION TO DISMISS WITH PREJUDICE

On this day, the court considered “Plaintiffs’ First Amended Motion to Dismiss with Prejudice” [ECF No. 16] (“Motion”), filed March 26, 2018 by Oscar Mendoza and Olivia Mendoza” (“Plaintiffs”). Therein, Plaintiffs inform the court that they have reached a settlement with Allstate Vehicle and Property Insurance Company and Miguel Rojas (“Defendants”), and seek to have this case dismissed with prejudice.¹ Federal Rule of Civil Procedure 41 provides that a plaintiff may voluntarily dismiss a cause of action with the court’s leave, on terms that the court deems just and proper.² Plaintiffs have affirmed their consent to dismiss the above-captioned case; accordingly the court accordingly enters the following orders:

1. “Plaintiffs’ First Amended Motion to Dismiss with Prejudice” [ECF No. 16] is **GRANTED**.
2. “Plaintiffs’ Motion to Dismiss Without Prejudice” [ECF No. 15] is **DENIED AS MOOT**.
3. This case is **DISMISSED WITH PREJUDICE**.

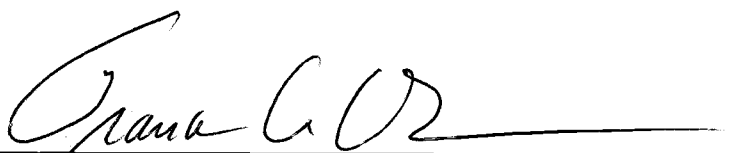
¹ Mot. 1.

² FED. R. CIV. P. 41(a)(2).

4. Each party **SHALL** bear its own costs.
5. The Clerk of the Court is **INSTRUCTED** to close this case.

SO ORDERED.

SIGNED this 26th day of March, 2018.



FRANK MONTALVO
UNITED STATES DISTRICT JUDGE